



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

ROY COOPER
GOVERNOR

January 25, 2019

VIA EMAIL & REGULAR MAIL

The Hon. Robin Hayes, Chairman
North Carolina Republican Party
1506 Hillsborough Street
Raleigh, North Carolina 27605
rchayes6@gmail.com

Dear Chairman Hayes:

I am in receipt of the letter you sent to the Governor's Boards and Commissions Director Cole Jordan on 23 January 2019 providing four names to the Governor to be considered for appointment to the Board of Elections, as required by House Bill 1029 (S.L. 2018-146). Upon review of the criteria the General Assembly put in place for service on the Board, and based on news reports since the release of the names on your 23 January letter, two of your nominees appear to be ineligible to serve under the newly recodified board as required by House Bill 1029 (S.L. 2018-146), N.C.G.S. § 163-19(f)(6): Col. Francis Xavier Deluca and Eldon Sharpe Newton III.

Section 163-19(f)(6) of the General Statutes requires nominees to the Board of Elections in existence beginning on 31 January 2019 to be eligible for service only if they have not been, in the past 48 months, associated with an organization engaged in electioneering as (1) a director, officer, or governing board member; (2) an employee; (3) a lobbyist registered under Chapter 120C of the General Statutes; or (4) an independent contractor; or (5) a legal counsel of record.

Therefore, in accordance with the 18 January 2019 letter from Cole Jordan requesting Board of Elections nominations from you, please resubmit the names of two new, eligible individuals so that you are compliant with the requirements of the law. Because time remains of the essence, and because these individuals will need to be evaluated by the State Ethics Commission prior to Governor Roy

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Cooper's appointments to the board, please send their names to this office no later than Monday, 28 January 2019.

With kind regards, I am

Very truly yours,

A handwritten signature in blue ink, reading "Will. C. McKinney". The signature is fluid and cursive, with a long horizontal stroke at the end.

William C. McKinney

CC: Cole Jordan